



Hart Hill Nursery School

Low Level Concerns Policy

Updated Spring Term 2025

Ratified by Governors on 25.03.25

Signed 

To be updated Spring Term 2028



Hart Hill Nursery School Low Concern Policy

Rationale

Hart Hill Nursery School understands the importance of acknowledging, recording and reporting all safeguarding concerns, regardless of their perceived severity. We understand that, while a concern may be low-level, that concern can escalate over time to become much more serious.

This policy outlines the school's approach to managing concerns about adult which do not meet the allegation threshold nor are considered serious enough to make a referral to LADO.

For the purpose of this policy, the term 'employee' will refer to any person associated with the school, eg, paid employee, self-employed contractor, volunteer, agency staff or governor.

Our school prides itself on creating a safe and prosperous environment for children, and our staff are expected to adhere to high standard of behaviour when it comes to professional conduct regarding pupils. The school has clear professional boundaries which all staff are made aware of and will adhere to.

We are committed to ensuring that any safeguarding concerns are dealt with as soon as they arise and before they have had a chance to become more severe, to minimise the risk of harm posed to our pupils on roll and other children.

Aims

Hart Hill Nursery School main aim is to:

- Provide a safe and prosperous environment for all children

We will do this through these additional aims:

- Create and embed a culture of openness and transparency throughout the school, including everyone believing 'it could happen here'
- Ensure that people feel empowered to share any low-level safeguarding concerns or problematic or inappropriate behaviour so that it can be identified, reported, recorded and dealt with appropriately to minimise the risk of abuse
- Establish and maintain an environment where staff adhere to high standards of behaviour and professional conduct, that ensures that all employees are clear about professional boundaries and act within them at all times
- Communicate clear professional boundaries that staff are aware of, and follow, addressing unprofessional behaviour and support employees to correct their behaviour at an early stage
- Commitment to dealing with concerns as soon as they arise, providing a responsive, sensitive and proportionate way to handle such concerns when they are raised
- Identify any weaknesses in the school's safeguarding procedures

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Definitions

The term 'low-level' concern does not mean that the concern is insignificant it's merely that the behaviour towards the child does not meet the 'harms threshold' as defined in Keeping Children Safe in Education.

Allegation

Behaviour which indicates that an adult who works with children has:

- Behaved in a way that has harmed a child, or may have harmed a child;
- Possibly committed a criminal offence against or related to a child;
- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children.
- Behaved in a way or may have behaved in a way that indicates they may not be suitable to work with children

Low-Level Concern

Any concern – no matter how small, even if no more than a 'nagging doubt' – that an adult may have acted in a manner which:

- Is not consistent with an organisation code of conduct and/or
- Relates to their conduct outside of work which, even if not linked to a particular act or omission, has caused a sense of unease about that adult's suitability to work with children.

Appropriate Conduct

Behaviour which is entirely consistent with the organisation's Code of Conduct, and the law.

Staff, themselves, do not need to be able to determine in each case whether their concern is a low-level concern, or if it is in fact serious enough to consider a referral to the LADO, or meets the threshold of an allegation. Once staff share what they believe to be a low-level concern that determination should be made by the Headteacher.

Roles and Responsibilities

The governing body will be responsible for ensuring that the school complies with its duties under child protection and safeguarding legislation. They should ensure that policies, procedures and training opportunities with regard to reporting safeguarding concerns are compliant and effective. They will guarantee that there is an effective Staff Code of Conduct that outlines behavioural expectations. The governing body should ensure that a suitably trained DSL has been appointed, alongside deputy DSL's where appropriate. Through monitoring, they will ensure that there are robust reporting arrangements, including interagency collaboration and ensure that there are appropriate procedures in place to handle allegations and low-level concerns reported against members of staff.

The Headteacher will be responsible for being a point of contact for all staff when they have safeguarding concerns, whether serious or low-level. They should assess whether safeguarding concerns about staff members meet the threshold for being termed an allegation and seek support from appropriate personnel at the LA, where needed. The Headteacher should implement this, and all related policies, throughout the school and ensure staff adhere to it at all times.

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They should safeguard children's wellbeing and maintain public trust in the teaching profession, through ensuring all staff have undertaken safeguarding training and that all staff have an ongoing awareness of low-level concerns and reporting procedures.

The DSL is responsible for being a point of contact for all staff when they have safeguarding concerns, whether serious or low-level. They should assess whether safeguarding concerns about staff members meet the threshold for being termed an allegation and seek support from appropriate personnel at the LA, where needed. The DSL should follow all procedures outlined in this policy and work alongside the Headteacher, staff members, the governing body and all relevant agencies to act upon concerns, where necessary. They should also ensure they keep detailed, accurate and secure records of all low-level concerns and any actions taken by the school, including keeping a record of decisions made regarding safeguarding concerns, including the rationale for those decisions.

All staff are responsible for adhering to all relevant policies and procedures, including acting within the Staff Code of Conduct at all times. They should interact with children in a way that is respectful and appropriate for their level of authority and has due regard to the power imbalance between pupils and staff members. They must understand the importance of reporting low-level concerns and ensure they report any and all safeguarding concerns they have about pupils or the behaviour of a staff member immediately.

Prevention amongst staff

Appropriate and inappropriate behaviour

The school will ensure that all staff members are aware of the standards or appropriate behaviour expected towards pupils. Staff will ensure that they pay due regard to the fact that:

- They are in a unique position of trust, care, responsibility, authority and influence in relation to pupils.
- There is a significant power imbalance in the pupil-staff dynamic.
- There are more stringent expectations on their behaviour with regard to pupils due to their position as a public professional.

Staff will remain aware of the fact that all pupils under the age of 18, regardless of the phase and year group they are at within the school, are children by law – resultantly, staff will ensure that they do not assume maturity on behalf of a pupil and do not engage with pupils as they would their own peers. Staff will be aware that where there is any doubt regarding whether the behaviour or another adult is appropriate, this should be reported to the DSL immediately.

Inappropriate behaviour can exist on a wide spectrum, from inadvertent or thoughtless behaviour to behaviour which is ultimately intended to enable abuse. Examples of inappropriate behaviour that would constitute a low-level concern that should be reported to the DSL include:

- Being overly friendly with children – this could include, but is not limited to, communicating with a child through personal social media or allowing inappropriate conversations or enquires to occur with pupils
- Having Favourites – this could include, but is not limited to, calling pupils by pet names or terms of endearment or buying pupils gifts
- Taking photographs of children on their own personal mobile phones or devices, without clear consent and reason from the Senior Leadership Team

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- Engaging with a child on a one-to-one basis in a secluded area or behind a closed door, that has not been authorised and risk assessed by a senior member of staff
- Using appropriate, sexualised, intimidating or offensive language

Staff will be aware that some of the above low-level concerns may meet the harms threshold depending on certain factors, eg the age or needs of the child or the content of exchanged messages, and that some of the above incidents may not be concerns in context.

School Culture

The school understands that spotting the early signs of harmful behaviour towards children can be difficult, and that many will be hesitant to report concerns they have about their colleagues' behaviour, particularly behaviour of their superiors. Staff are encouraged to maintain an attitude that recognises that abuse can happen anywhere, in any setting, and that anyone can be a perpetrator regardless of their age, sex, level of authority, personality, etc. It is important that everyone remembers information sharing is essential for effective safeguarding and promoting the welfare of children and young people. All concerns, no matter how small, must be reported

The school will ensure that all staff members have received training as part of their induction that outlines appropriate behaviour towards pupils for staff members. All staff will read, understand and adhere to this policy, as well as the Staff Code of Conduct. Staff will address any questions they have regarding safeguarding to the DSL. The school will work to foster an environment where personal and professional boundaries are clearly set and respected for all individuals in the school community. The school will ensure that all staff are sufficiently trained surrounding the reporting of safeguarding concerns as part of their induction, and that refresher training is conducted as necessary. The school will ensure that all staff understand how to recognise and report safeguarding concerns. Staff will be trained to identify concerning or problematic behaviour towards pupils that may indicate a safeguarding concern, and how to identify signs of abuse or harm in pupils.

The school will ensure that appropriate consideration is given to the school's culture and whether or not it has enabled the inappropriate behaviour to occur. The Headteacher will review whether any changes need to be made to relevant policies or training programmes in light of any evaluations of the school's culture, in order to achieve an open and transparent culture that deals with all concerns promptly and appropriately.

Reporting Concerns

The school will promote a culture in which safeguarding pupils is the uppermost priority, beyond any perceived professional loyalties to colleagues, ensuring that staff are actively encouraged to report concerns, regardless of their relationship with the staff member.

Low-level concerns about a member of staff should be reported immediately to the Headteacher. Where a low-level concern relates to the Headteacher, this should be reported to the Chair of Governors. Where a low-level concern relates to supply staff or a contractor working within the school/trust, that concern should be shared with the Headteacher. This should be recorded in accordance with this policy. Their employer, for example the agency, should also be notified so that any potential patterns of inappropriate behaviour can be identified.

All low-level concerns should be recorded in writing. A template 'low-level concern reporting form' can be found at appendix 1 of this policy.

A record of the concern should be kept in a central 'low level concerns file' (which can be an electronic or paper file). The record should be kept in a secure manner. The concern records should be kept in a chronological order as a running record. Each entry will have the time and date recorded, along with the name of the individual who has made the record and the outcome of the concern. Schools should ensure the records are stored securely and confidentially in line with the Data Protection Act 2018 and the UK GDPR. The records should be retained at least until the employee ceases employment.

Records should be reviewed periodically to ensure that all such concerns are being dealt with promptly and appropriately, and so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where such a pattern is identified, the school should seek advice from the Local Authority Designated Officer (LADO) as to whether the pattern of concerns meets the harms threshold and whether the matter should be dealt with under the school's disciplinary process. A record of reviews should be made. Consideration should also be given to whether there are wider cultural issues within the school that enabled the behaviour to occur and where appropriate policies could be revised or extra training delivered to minimise the risk of it happening again.

If a low-level concern in and of itself is deemed to be serious enough to consider a referral to the LADO, the records relating to the low-level concern will be placed on the individual's personnel file. If a low-level concern (or group of concerns) is re-classified as an allegation, all previous records of low-level concerns relating to the same individual should be moved from the central low-level concerns file to the individual's personnel file.

Self-Reporting

Occasionally an individual might find themselves in a situation which could be misinterpreted or might appear compromising to others. Equally, an individual may, for whatever reason, have behaved in a manner which, on reflection, they consider falls below the standard set out in the Code of Conduct. In these instances, an individual may wish to self-report, and this is encouraged. This can be positive for a number of reasons:

- it enables a potentially difficult issue to be addressed at the earliest opportunity
- it demonstrates awareness of the expected behavioural standards and self-awareness as to the individual's own actions or how they could be perceived
- it is an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour inappropriately or in a way that could be construed as inappropriate upon reflection.

The Headteacher and DSL will, to the best of their abilities, maintain a culture of approachability for staff members, and will be understanding and sensitive towards those who self-report.

Staff members who self-report will not be treated more favourably during any resulting investigations than staff members who were reported by someone else; however, their self-awareness and intentions will be taken into consideration.

Evaluating Concerns

Where the Headteacher is notified of a safeguarding concern, they will use their professional judgement to determine if the concern is low-level or if it must be immediately escalated, eg where a child is at immediate risk of harm. When deciding if a concern is low-level, the Headteacher will discuss the concern with the DSL and the Deputy Headteacher, and will seek advice from external agencies where there is any doubt about how seriously to take the concern. When seeking external advice, the Headteacher will ensure they adhere to the Data Protection Policy, and the information sharing principles outlined in the Child Protection and Safeguarding Policy, at all times.

To evaluate a concern, the Headteacher and DSL will:

- Speak to the individual who raised the concern to determine the facts and obtain any relevant additional information
- Review the information and determine whether the behaviour displayed by the individual about whom the concern was reported is consistent with the Staff Code of Conduct and the law
- Determine whether the concern, when considered alongside any other low-level concerns previously made about the same individual, should be reclassified as an allegation and dealt with alongside the Allegations of Abuse against Staff Policy
- Consult with, and seek advice from, external agencies when in doubt over the course of action to follow
- Speak to the individual about whom the concern has been raised to inform them of the concern and to give them an opportunity to respond to it
- The Headteacher will categorise the type of behaviour and determine what further action is appropriate. This information needs to be recorded along with the rationale for their decision and the action taken.
- Ensure that accurate and detailed records are kept of all internal and external conversations evaluating the concern, and any actions or decisions taken
- Where necessary, the Headteacher will seek the advice of the LADO (maintaining the anonymity of the individual at this point where possible).

Acting on Concerns

Where a concern is unfounded

If it is discovered upon evaluation that the low-level concern refers to behaviour that was not considered to be in breach of the Staff Code of Conduct and the law, the Headteacher will speak to the individual about whom the concern was made to discuss their behaviour, why and how the behaviour may have been misconstrued, and what they can do to avoid such misunderstandings in the future. The Headteacher will also speak to the individual who shared the concern, outlining why the behaviour reported is consistent with school standards and the law. The Headteacher will take care to ensure that conversations with individuals who reported concerns that transpired to be unfounded do not deter that individual from reporting concerns in the future.

Where a concern is low-level

Where the Headteacher determines that a concern is low-level, the school will respond to this in a sensitive manner. The following procedure will be followed:

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- The DSL holds a meeting with the individual about whom the concern was reported during which they will:
 - Talk to the individual in a non-accusatory and sympathetic manner
 - Inform them of how their behaviour was perceived by the individual who reported the concern (without naming them)
 - Clearly state what about the behaviour was inappropriate and problematic
 - Discuss the reasons for the behaviour with the individual
 - Inform the individual clearly what about their behaviour needs to change
 - Discuss any support that the individual may require in order to achieve the proper standards of behaviour
 - Allow the individual the opportunity to respond to the concern in their own words
- The DSL asks the individual to re-read the Staff Code of Conduct and/or the Safeguarding Policy, depending on the nature of the concern.
- The DSL and the Headteacher will consider whether the individual should receive guidance, supervision or any further training.
- Where considered appropriate in the circumstances, the Headteacher will develop an action plan, with input from the individual, that outlines ongoing and transparent monitoring of the individual's behaviour and any other support measures implemented to ensure the staff member's behaviour improves.
- Where it is necessary to undergo an investigation into the behaviour, this will be done discreetly, and information will only be disclosed to individuals on a need-to-know basis.
- Where any pupil or other individual has been made to feel uncomfortable by the individual's behaviour, they will be offered pastoral support, where appropriate

The Headteacher will ensure that all details of the low-level concern, including any resultant actions, are recorded and securely stored in line with the Data Protection Policy. The Headteacher will ensure that these records are kept organised and up-to-date, and that it is easy to refer back to them if any other concerns are reported about the same individual.

The specific approach to handling low-level concerns will be adapted on a case-by-case basis. It is unlikely that a low-level concern will result in disciplinary procedures; however individuals may be given warnings in line with the Disciplinary Policy and Procedure where behaviour does not improve once it is brought to their attention. Where behaviour does not improve over a longer period of time, the concerns will be escalated and dealt with in line with the Allegations of Abuse against Staff Policy.

Where a concern is serious

The Headteacher may decide upon evaluating that a concern is more serious than the reporter originally thought, eg, when viewed in conjunction with other evidence or other concerns made about the same individual. Where this decision is made, the concern will be escalated, and dealt with as an allegation. The Headteacher will then follow the procedures laid out in the Allegations of Abuse against Staff Policy.

Record Keeping

The school will retain all records of low-level concerns, including those that were found to be unfounded. The Headteacher will ensure that all records include the most accurate and up-to-date

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information and will store them in a locked cupboard, in the main front office. The Headteacher will ensure that all low-level concerns are stored together in an organised and consistent manner, to ensure they can be easily reviewed and analysed where necessary.

Records will include:

- A clear and comprehensive summary of the concern
- Details of how the concern was followed up and resolved
- A note of any action taken, decisions reached, and the outcome.
- The name of the individual sharing concerns – if the individual wishes to remain anonymous, this will be respected as far as reasonably possible

The DSL will periodically review the recent low-level concerns made to ensure that they are being appropriately dealt with and to check for any concerning behaviour patterns amongst the staff cohort as a whole. The DSL will keep records of these reviews. Where any concerning patterns of behaviour have been identified with regard to a member of staff, the DSL will consult with the Headteacher to decide on a course of action. Where a pattern of behaviour has become so concerning that it meets the harms threshold, this will be referred to the LADO, as soon as practicable.

Records of low-level concerns will not be kept in a personnel file in the first instance, however if there are multiple concerns about a member of staff or a concern is thought to be serious and is processed as an allegation, records will then be kept in staff personnel files. Where an allegation is made about an individual, who has previously been subject to such allegations or where a low-level concern is reclassified as a serious concern after meeting the harms threshold, all records of low-level concerns about that individual will be moved to the staff personnel file and kept alongside records of allegation.

The DSL will ensure that all records are kept in a manner that is consistent with the Data Protection Policy. Records will be confidential, kept password-protected and securely destroyed when required. The school will only refer to concerns about a staff member in employment references where they have amounted to a substantiated safeguarding allegation threshold and has been found to have basis through investigation, or where it is not exclusively a safeguarding issue and forms part of an issue that would normally be included in a reference. Low-level safeguarding concerns will not be included in a reference, unless they have comprised a pattern of behaviour that has met the harms threshold.

Monitoring and Review

This policy will be reviewed as part of the three year policy cycle, or sooner in response to any new safeguarding requirements or concerns surrounding the wider cultural issues in the school. Any changes made to this policy will be communicated to all members of staff by the Headteacher.

All members of staff are responsible for ensuring they remain refreshed with this policy's content and that they are seen to follow the policy.